

In re Patent Application of:

FLICK

Serial No. 10/649,267

Filing Date: AUGUST 27, 2003

REMARKS

The Examiner is thanked for the thorough examination of the present application. A terminal disclaimer is submitted herewith to overcome the double patenting rejection. Independent Claims 1, 10, 17, 26, and 32 have been amended to further define the invention over the prior art references. In view of the arguments presented in detail below, it is submitted that all of the claims are patentable.

I. The Claimed Invention

Amended independent Claim 1, for example, is directed to a pre-warn vehicle security device for a vehicle including a data communications bus extending throughout the vehicle and carrying data and address information thereover, an alert indicator, and an alarm controller interfacing with the data communications bus extending throughout the vehicle and carrying data and address information thereover and causing the alert indicator to generate an alarm indication responsive to a high security threat level. The pre-warn vehicle security device includes a housing and a multi-stage sensor carried by the housing. The multi-stage sensor is for sensing the high security threat level and communicating the sensed high security threat level to the alarm controller via the data communications bus extending throughout the vehicle and carrying data and address information thereover, and for sensing a low security threat level lower than the high security threat level. The pre-warn

In re Patent Application of:

FLICK

Serial No. 10/649,267

Filing Date: **AUGUST 27, 2003**

vehicle security device further includes a pre-warn indicator carried by the housing and connected to the multi-stage sensor for generating a pre-warn indication responsive to the sensed low security threat level. Amended independent Claim 32 is a method counterpart to amended independent Claim 1.

Amended independent Claim 10 is similar to amended independent Claim 1 and further includes a pre-warn emulator for generating a high security threat level signal on the data communications bus extending throughout the vehicle and carrying data and address information thereover responsive to the high security threat level sensed by the multi-stage sensor. The pre-warn indicator recited in amended independent Claim 10 generates a pre-warn indication having a shorter duration than the alarm indication.

Amended independent Claim 17 is similar to amended independent Claim 1, further reciting the alarm controller for switching between armed and disarmed operational modes and causing a vehicle light to generate a confirmation indication based thereon and an audible pre-warn indicator carried by the housing and connected to the multi-stage sensor for generating a pre-warn indication responsive to the sensed low security threat level, and for generating an audible confirmation indication responsive to the alarm controller switching between armed and disarmed operational modes.

Amended independent Claim 26 is similar to amended independent Claim 1, and further recites at least one vehicle device interfacing with the data communications bus extending

In re Patent Application of:

FLICK

Serial No. 10/649,267

Filing Date: AUGUST 27, 2003

throughout the vehicle and carrying data and address information thereover for generating a mode change signal on the data communications bus. An alarm circuit connected to the multi-stage sensor interfaces with the data communications bus extending throughout the vehicle and carrying data and address information thereover for switching between armed and disarmed operational modes responsive to the mode change signal. An indicator is connected to the alarm circuit, and when in the armed operational mode, the alarm circuit causes the indicator to generate a pre-warn indication responsive to the sensed low security threat level, and to generate an alarm indication responsive to the sensed high security threat level.

II. Claims 1-9 Are Patentable

The Examiner rejected independent Claim 1 based upon U.S. Patent No. 5,216,407 to Hwang ("Hwang '407") in view of U.S. Patent No. 5,245,694 to Zwern ("Zwern") and either U.S. Patent No. 5,469,298 to Suman et al. ("Suman"), U.S. Patent No. 5,315,285 to Nykerk ("Nykerk"), or U.S. Patent No. 6,005,478 to Boreham et al. ("Boreham").

Hwang '407 is directed to a pre-alarm warning system for use with a vehicle anti-theft alarm. A signal from a displacement/vibration detector b is picked up by a one-shot timer circuit 102, which causes a main control alarm circuit 103 to drive a siren circuit 105 to generate a short chirp sound as an audible pre-warning, and drive a flashing circuit 106 to flash

~~In re Patent Application of:~~

FLICK

Serial No. 10/649,267

Filing Date: **AUGUST 27, 2003**

a vehicle light for a preset period of time as a visible pre-warning. If a repeated number of activation signals are received, or the signal continues for a predetermined period of time, the main control alarm circuit 103 causes full audio and visual alarm indications (i.e., from a siren and the vehicle lights, respectively) to be generated. See, e.g., FIGS. 1 and 2 and col. 1, line 60 through col. 2, line 57 of Hwang '407.

As recited in amended independent Claim 1, Hwang '407 fails to teach an alarm controller interfacing with a data communications bus extending throughout the vehicle and carrying data and address information thereover, or a multi-stage sensor communicating a sensed high security threat level to the alarm controller via the data communications bus. To the contrary, the exclusively hardwire connections in Hwang '407 linking the sensor b, timer circuit 102, alarm controller 103, and siren circuit 105 teach away from an alarm controller interfacing with a data communications bus and a multi-stage sensor communicating via a data communications bus. It is respectfully submitted that the Examiner mischaracterizes the teachings of Hwang '407.

The Examiner correctly notes that the hardwire communication line between the one shot timer 102 and the main control alarm circuit 103 is not a data communications bus, and first looks to the Suman et al. patent in an attempt to provide a data communications bus as recited in independent Claim 1. The Suman et al. patent discloses a data bus 111 including eleven parallel data lines for each one of the inputs 100-110 that are connected to a respective one of eleven input terminals 114. (See

In re Patent Application of:

FLICK

Serial No. 10/649,267

Filing Date: **AUGUST 27, 2003**

Fig. 6A and column 7, lines 37-40). The Suman et al. patent also discloses that the microcontroller 77 includes thirteen output terminals 113 connected by thirteen parallel output conductors 116 to an output interface circuit 115. (See Fig. 6B and column 7, lines 41-43). Thus, the Suman et al. patent does not disclose a vehicle data communications bus extending throughout the vehicle for carrying data and address information thereover, as recited in amended independent Claim 1.

The Nykerk patent discloses a self-contained alarm system 55 that includes an internal data bus 64 (See Fig. 4 and column 9, lines 59-63), in contrast to the vehicle data communications bus extending throughout the vehicle for carrying data and address information thereover, as in the claimed invention.

Finally, the Examiner cites to the Boreham patent. The Boreham et al. patent discloses a controller for activating an alert indicator having a predetermined frequency, volume, and duration based upon a sensed security condition. However, the Boreham et al. patent fails to provide a multi-stage sensor for sensing a high security threat level and communicating the sensed high security threat level to an alarm controller via a data communications bus extending throughout the vehicle and carrying data and address information thereover, as recited in amended independent Claim 1.

Applicant respectfully submits that there is no proper motivation to selectively combine the cited references. For example, the Examiner contends that it would have been

In re Patent Application of:

FLICK

Serial No. 10/649,267

Filing Date: **AUGUST 27, 2003**

obvious to connect a pre-warn system as disclosed by Hwang '407 over a vehicle data bus as suggested by the Suman et al. patent to take advantage of wiring already existing in a vehicle without having to add supplemental wiring to communicate sensed data in a vehicle alarm system. The Hwang '407 patent already provides a pre-warn function using the existing wiring, and, therefore, one skilled in the art at the time of the present invention would not look to the Suman et al. patent to save supplemental wiring because there is no need for supplemental wiring in the first place.

The Examiner further contends that adding addressing over the data bus as suggested by the Boreham et al. patent will permit communication with specific vehicle systems that have individual addresses. However, the Hwang '407 and Suman et al. patents never mention using addressing over a data bus and the Boreham et al. patent fails to mention a multi-stage sensor for communicating a sensed high security threat level on the vehicle data communications bus. As a result, the only motivation to provide the claimed multi-stage sensor for communicating a sensed high security threat level on the vehicle data communications bus extending throughout the vehicle and carrying data and address information improperly comes from Applicant's own specification.

Accordingly, it is submitted that amended independent Claim 1 is patentable over the prior art. Amended independent Claim 32 is a method claim similar to amended independent Claim 1. Accordingly, it is submitted that amended independent Claims

In re Patent Application of:

FLICK

Serial No. 10/649,267

Filing Date: AUGUST 27, 2003

1 and 32 are patentable over the prior art. Their respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

III. Claims 10-16 Are Patentable

The Examiner rejected independent Claim 10 based upon Hwang '407 in view of Zwern and either Suman, Nykerk, or Boreham, and further in view of U.S. Patent No. 5,084,697 to Hwang ("Hwang '697").

The arguments addressing the common recitations of amended independent Claim 10 with amended independent Claim 1 are included above. The Hwang '407 patent is also described above. As recited in amended independent Claim 10, Hwang '407 fails to teach a pre-warn emulator for generating a high security threat level signal on the data communications bus. To the contrary, the exclusively hardwire connections in Hwang '407 linking the sensor b, timer circuit 102, alarm controller 103, and siren circuit 105 teach away a pre-warn emulator for generating a high security threat level signal on the data communications bus. It is respectfully submitted that the Examiner mischaracterizes the teachings of Hwang '407.

The Examiner looks to the Hwang '697 patent to provide a pre-warn indicator connected to the multi-stage sensor for generating a pre-warn indication having a shorter duration than the alarm indication. The Hwang '697 patent discloses a warning device 5 hardwire connected to a pre-warning signal amplifier

~~In re~~ Patent Application of:

FLICK

Serial No. **10/649,267**

Filing Date: **AUGUST 27, 2003**

circuit 3 which is in-turn hardwire connected to a detector 1. Although the warning device 5 outputs a short pre-warning signal upon a hardwire signal from detector 1, it is not connected to a multi-stage sensor as recited in amended independent Claim 10, as detector 1 does not communicate a sensed high security threat level to an alarm controller via a data communications bus extending throughout the vehicle and carrying data and address information thereover.

The Examiner correctly notes that the hardwire communication line between the one shot timer 102 and the main control alarm circuit 103 is not a data communications bus. As argued above with regard to amended independent Claim 1, there is no proper motivation to selectively combine the Suman, Nykerk, or Boreham patents with the Hwang '407 patent.

Accordingly, it is submitted that amended independent Claim 10 is patentable over the prior art. Its respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

IV. Claims 17-25 Are Patentable

The Examiner rejected independent Claim 17 based upon U.S. Patent No. 5,216,407 to Hwang ("Hwang '407") in view of U.S. Patent No. 5,245,694 to Zwern ("Zwern") and either U.S. Patent No. 5,469,298 to Suman et al. ("Suman"), U.S. Patent No. 5,315,285 to Nykerk ("Nykerk"), or U.S. Patent No. 6,005,478 to Boreham et al. ("Boreham").

~~In-re~~ Patent Application of:

FLICK

Serial No. 10/649,267

Filing Date: **AUGUST 27, 2003**

The arguments addressing the common recitations of amended independent Claim 17 with amended independent Claim 1 are included above. The Hwang '407 patent is also described above. As recited in amended independent Claim 17, Hwang '407 fails to teach an audible pre-warn indicator for generating an audible confirmation indication responsive to the alarm controller switching between armed and disarmed operational modes. It is respectfully submitted that the Examiner mischaracterizes the teachings of Hwang '407.

The Examiner correctly notes that the hardwire communication line between the one shot timer 102 and the main control alarm circuit 103 is not a data communications bus. As argued above with regard to amended independent Claim 1, there is no proper motivation to selectively combine the Suman, Nykerk, or Boreham patents with the Hwang '407 patent.

Accordingly, it is submitted that amended independent Claim 17 is patentable over the prior art. Its respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

V. Claims 26-31 Are Patentable

The Examiner rejected independent Claim 26 based upon U.S. Patent No. 5,216,407 to Hwang ("Hwang '407") in view of U.S. Patent No. 5,245,694 to Zwern ("Zwern") and either U.S. Patent No. 5,469,298 to Suman et al. ("Suman"), U.S. Patent No. 5,315,285 to Nykerk ("Nykerk"), or U.S. Patent No. 6,005,478 to

In re Patent Application of:

FLICK

Serial No. 10/649,267

Filing Date: **AUGUST 27, 2003**

Boreham et al. ("Boreham").

The arguments addressing the common recitations of amended independent Claim 26 with amended independent Claim 1 are included above. The Hwang '407 patent is also described above. As recited in amended independent Claim 26, Hwang '407 fails to teach an alarm circuit connected to the multi-stage sensor interfacing with a data communications bus extending throughout the vehicle and carrying data and address information thereover for switching between armed and disarmed operational modes responsive to a mode change signal. To the contrary, the exclusively hardwire connections in Hwang '407 linking the sensor b, timer circuit 102, alarm controller 103, and siren circuit 105 teach away an alarm circuit interfacing with a data communications bus for switching between armed and disarmed operational modes responsive to a mode change signal. It is respectfully submitted that the Examiner mischaracterizes the teachings of Hwang '407.

The Examiner correctly notes that the hardwire communication line between the one shot timer 102 and the main control alarm circuit 103 is not a data communications bus. As argued above with regard to amended independent Claim 1, there is no proper motivation to selectively combine the Suman, Nykerk, or Boreham patents with the Hwang '407 patent.

Accordingly, it is submitted that amended independent Claim 26 is patentable over the prior art. Its respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no

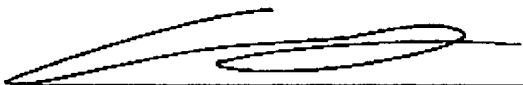
In re Patent Application of:
FLICK
Serial No. 10/649,267
Filing Date: AUGUST 27, 2003

further discussion herein.

CONCLUSIONS

In view of the foregoing, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,



CIAN G. O'BRIEN
Reg. No. 55,792
Allen, Dyer, Doppelt, Milbrath
& Gilchrist, P.A.
255 S. Orange Avenue, Suite 1401
Post Office Box 3791
Orlando, Florida 32802
Telephone: 407/841-2330
Fax: 407/841-2343
Attorney for Applicant

In re Patent Application of:
FLICK
Serial No. 10/649,267
Filing Date: AUGUST 27, 2003

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to the Commissioner of Patents on this 8th day of February, 2006.

